

Remarks/Arguments

Claims 10-29 are pending in this application, and are rejected in the Office Action of April 19, 2007. Claims 10, 17 and 24 are amended herein to more particularly point out and distinctly claim the subject matter Applicants regard as the invention.

Re: Claims 10-29

Claims 10-29 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,374,406 issued to Hirata (hereinafter, "Hirata") in view of WO 99/35847 (hereinafter, "Westlake"). Applicants respectfully traverse this rejection for at least the following reasons.

Applicants first note that amended independent claim 10 recites:

"receiving an electronic mail message remotely from a user, said electronic mail message comprising an operating command and program identification information including at least one of a first type of program identification information and a second type of program identification information;

processing said electronic mail message to determine whether said electronic mail message includes said first type of program identification information;

scheduling an event responsive to said operating command for a program identified by said program identification information without searching program guide information for said program if said electronic mail message includes said first type of program identification information;

continuing to process said electronic mail message to determine whether said electronic mail message includes said second type of program identification information **only if said electronic mail message does not include said first type of program identification information;**

searching said program guide information for said program using said program identification information **only if said electronic mail message includes said second type of program identification information and does not include said first type of program identification information;** and

scheduling said event **responsive to said operating command** if said program is found during said searching step." (emphasis added)

As indicated above, amended independent claim 1 defines a method capable of scheduling an event (e.g., program recording, etc.) responsive to a received electronic

mail message that includes an operating command and at least one of two different types of program identification information (e.g., channel/time information and/or a program name). The received electronic mail message is processed to determine whether it includes the first type of program identification information. An event is scheduled responsive to the operating command for a program identified by the program identification information without searching program guide information for the program if the electronic mail message includes the first type of program identification information.

Also according to the method, the electronic mail message continues to be processed to determine whether it includes the second type of program identification information only if the electronic mail message does not include the first type of program identification information. The program guide information is then searched for the program using the program identification information only if the electronic mail message includes the second type of program identification information and does not include the first type of program identification information. An event is scheduled responsive to the operating command if the program is found during the search of the program guide information. Independent claims 17 and 24 are amended herein to define similar subject matter in apparatus format.

Applicants submit that neither Hirata nor Westlake, whether taken individually or in combination, teach or suggest all of the foregoing elements of independent claims 10, 17 and 24. On pages 3-4 of the Office Action dated April 19, 2007, the Examiner admits that:

“Hirata fails to disclose processing said electronic mail message to determine whether said electronic mail message includes said second type of program identification information if said electronic mail message does not include said first type of program identification information, searching said program guide information for said program using said program identification information if said electronic mail message includes said second type of program identification information, and scheduling said event if said program is found during said searching step.”

The Examiner then relies on Westlake to remedy the aforementioned deficiencies of Hirata (see page 4 of the Office Action dated April 19, 2007). However, Applicants note that Westlake is not able to remedy the aforementioned deficiencies of Hirata for at least the following reasons.

First, Westlake teaches a method that includes steps of receiving an electronic message and comparing terms in the received electronic message to terms in the program information of an electronic program guide (EPG) (see, for example, page 23, lines 14-28 and steps S1-S2 of FIG. 3). The Examiner alleges that these steps of Westlake correspond to:

“... determining if a received electronic mail message includes a second type of program identification information and searching program guide information for an identified program using said program identification information” (see page 4 of the Office Action dated April 19, 2007).

In response, Applicants note that the aforementioned comparison step of Westlake is ostensibly performed for all terms included in the received electronic message and without regard to the whether certain information is included or not included in the received electronic message. Accordingly, the proposed combination including Westlake fails to teach or suggest, *inter alia*, the claimed steps of: “continuing to process said electronic mail message to determine whether said electronic mail message includes said second type of program identification information only if said electronic mail message does not include said first type of program identification information” and “searching said program guide information for said program using said program identification information only if said electronic mail message includes said second type of program identification information and does not include said first type of program identification information” (emphasis added; see for example amended claim 10).

Also on page 4 of the Office Action dated April 19, 2007, the Examiner states:

“... Westlake teaches automatically scheduling the operation of a video processing apparatus ('automatic implementation' page 34, lines 2-9, of recording or reminder operations, page 26, lines 7-23) ...”

In response, Applicants note that Westlake's "automatic implementation" embodiment requires user selection of a matched term identified while searching the EPG before scheduling an operation (see, for example, page 25, line 24 to page 26, line 23 and page 33, line 24 to page 34, line 9). Accordingly, the proposed combination including Westlake fails to teach or suggest, *inter alia*, the step of "scheduling said event responsive to said operating command [included in the received electronic mail message] if said program is found during said searching step" (emphasis added; see for example amended claim 10). That is, the claimed invention states that the scheduling step is performed "responsive to an operating command" included a received mail message, while the proposed combination including Westlake requires that a user first select a matched term identified while searching the EPG before scheduling an operation. Accordingly, since the proposed combination of Hirata and Westlake fails to teach or suggest all of the foregoing elements of independent claims 10, 17 and 24, Applicants respectfully request that the rejection of claims 10-29 be withdrawn.

Conclusion

Having fully addressed the Examiner's rejections it is believed that, in view of the foregoing remarks/arguments, this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicants' attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled. No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,


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I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

7-17-07

Date

E. Benhalugh